



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John P. Atkinson, Dennis Hourcade, and Malgorzata Krych

Serial No: 08/126,505 Art Unit: 1812

Filing date: September 24, 1993 Examiner: K. Brown

For: MODIFIED CR1 ANALOGUES

Assistant Commissioner of Patents
Washington, D.C. 20231

RECEIVED

DEC 31 1996

GROUP 1800

260 NJ 12/27/96 08126505
1 248 55.00 CK

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE

PATENTING REJECTION OVER A PATENT

Sir:

Washington University is the owner of the entire interest in the above-identified application as evidenced by the accompanying certificate under 37 C.F.R. § 3.73(b).

Washington University hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 5,545,619 which issued August 13, 1996. Washington University hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 5,545,619 are commonly owned. This

55/248 CR

1812
#23

18C NF
1/2/97

agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Washington University does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 5,545,619, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned (whose title is supplied below) is empowered to act on behalf of Washington University.

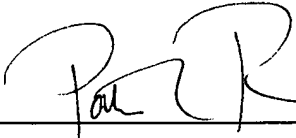
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

U.S.S.N. 08/126,505
Filed September 24, 1993
TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PATENT

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

WASHINGTON UNIVERSITY

By: _____


Patrea L. Pabst
Registration Number 31,283
Attorney on behalf of Washington University

Date: December 13, 1996